

GOVERNMENT OF ANDHRA PRADESH

ABSTRACT

Public Services – Treasuries and Accounts Department – Pension Payment Offices, Hyderabad – Excess payment of pension to Late Sri Majeed Khan, holder of PPO No.PHSP001266 – Departmental Proceedings initiated against Retired Officers/in Service Officers of PPO Unit of Treasuries and Accounts Department – Disciplinary action against Sri Syed Akheel, A.A.O (Retd.) — Further action dropped - Orders – Issued.

FINANCE (ADMN.I.VIG.) DEPARTMENT

G.O.Rt.No. 3225

Dated: 27-08-2009

Read the following:-

1. DTA Lr.No. KII (8)/9823/2002, dt. 01-05-2004.
2. G.O.Ms.No.525, Finance (Admn.I.Vig) Department, dated 22-6-2004.
3. G.O.Rt.No.1784, Finance (Admn.I.Vig) Department, dated 22-6-2004.
4. Statement of defence of Sri Syed Akheel, AAO. (Retd.) dt. 17-11-2006.
5. DTA Lr. No. KII (8)/9823/2002, dt. 09-02-2007.

ORDER:

The Director of Treasuries and Accounts, in the reference 1st read above, reported that during the year 1984, due to reduction of age of superannuation from 58 to 55 years, Sri M.A.Majeed Khan, Head Constable was deemed to be retired from service **w.e.f. 30-09-1983**. The Audit Officer, L.F. Audit, Hyderabad has fixed his pension initially at Rs.304/-p.m. w.e.f. 01-10-1983 vide PPO No.POL/Hyd/SP.001233. In the mean time, Government have revised the age of retirement again from 55 to 58 years. By virtue of the Govt. Policy, the employee who were left with service were reinstated into service and those who have completed (58) years by that time have been given the benefit of service and pension has been calculated as on the revised date of retirement. Thus, the date of retirement on attaining the superannuation of (58) years in respect of Sri M.A.Majeed Khan, Head Constable was reckoned as 30-09-1986. Due to change of his date of retirement, the Audit Officer, L.F. Audit, Hyderabad has revised his pension in the Revised Pay Scales 1986 and fixed at Rs.644/-p.m., with effect from 01-10-1986, vide Amendment Order No.34298/243/N4/87 dt.14-12-1987. As per G.O.Ms.No.75, dated 07-03-1990 90% D.R. consolidation is applicable to those who have retired on or before 30-06-1986. Whereas Sri M.A.Majeed Khan, Head Constable was retired on 30-09-1986, but was wrongly allowed 90% D.R. Consolidation in pension and his pension was refixed at Rs.1271/- p.m. w.e.f.01-10-1986 on 24-04-1992 and authorization has been issued to Bank. This wrong fixation was pointed out by the Residential Audit Officer during the year 1994 and Half Margin Note No.RASN/PPO/M.J.Road/94-95, dtd.31-08-1994 was issued to the APPO, Spl.Cell and advised to refer the case to the Director of Local Fund Audit to confirm the correctness and in case, if the fixation is found wrong, the excess paid pension should be recovered from the pensioner. The note was marked to G2 Clerk on 31-08-1994 for discussion in the matter. No action was taken on the Half Margin for conformation of the excess payment through the Director of Local Fund, Hyderabad and the excess payment was continued. Subsequently, Government have introduced payment of pensions compulsory through Bank in entire state, vide G.O.Ms. No.213, Finance (PSC) Department, dated 19-12-1997. By virtue of these orders, the Pension Payment Order in respect of Sri M.A. Majeed Khan, Head Constable (Retd.) was transferred from APPO, Spl. Cell, M.J. Road to APPO, Tarnaka during the month of 10/1998, since the pension payee Bank comes under jurisdiction of APPO,

Tarnaka. The A.G's Residential Audit Officer conducted regular audit during January 2000 and pointed out about the pending Half Margin Audit Objection, which was issued on 31-8-1994 to APPO, Spl. Cell, M.J. Road, Hyderabad. On the advise of the Residential Audit Officer, the APPO, Tarnaka has started recovery of excess payment of service pension, w.e.f. 01-06-2000, @ Rs.1373/- p.m. and an amount of Rs.43,516.59 has been recovered out of the total amount of Rs.2,02,565/- leaving a balance of Rs.1,59,048.41 which cannot be recovered due to demise of the pensioner. Hence, the improper action has resulted in excess payment of pension.

2. Departmental Proceedings were initiated against Sri Syed Akheel, the then JAO O/o the APPO, Tarnaka, Secunderabad now A.A.O. (Retd.) along with others of PPO Unit of Treasuries and Accounts Department who were allegedly responsible for the excess payment of pension to Late Sri M.A.Majeed Khan, holder of PPO No.POL/Hyd/SP.001233. The following Charge was framed against Sri Syed Akheel, the then JAO, O/o the APPO, Tarnaka now Asst. Accounts Officer (Retired).

“That Sri Syed Akheel, Assistant Accounts Officer (Retired), while working as Junior Accounts Officer in Tarnaka Branch during the period from 10/98 to 12/01 has failed to follow the instructions of the Resident Audit Party of A.G., A.P., Hyderabad issued in half margin dated 31-08-1994 regarding the non-eligibility/wrong fixation of pension under G.O.75, dated 07-03-1990 and later it was also confirmed by the Local Fund Audit Department, who is the pension sanctioning authority in respect of Sri Abdul Majeed Khan, holder of PPO No.Pol/Hyd/SP001266 listed in the statement enclosed to the Statement of Imputations, and thereby given scope for excess payment of Pension beyond the eligibility and was responsible for a loss of Rs.2,230/- to the Government exchequer. Had he acted upon its initial detection of wrong fixation by Resident Audit Party the excess payment would have been avoided.

Thus, Sri Syed Akheel, Assistant Accounts Officer (Retired) by the above mentioned act, has exhibited lack of devotion to duty and conduct unbecoming of a Government servant and thereby contravened rule 3 (1) and (2) of A.P. Civil Services (Conduct) Rules, 1964”

3. **Sri Syed Akheel, Assistant Accounts Officer (Retired)**, in his defence statement, while denying the article of charge framed against him he has requested to drop the charge on the following grounds:

- i. Sri Abdul Majeed Khan, holder of PPO No.POC/Hyd/SP001266 retired on 30-09-1983 After Noon from service due to reduction of age from 58 years to 55 years and pension was sanctioned w.e.f. 1-10-1983. Due to revision of retirement age again from 55 years to 58 years, the Director of Local Fund Audit revised the pension of the individual through amendment order No.34298/243/N4/87, dated 14-12-1987 from Rs.304/- P.M. to Rs.641/- P.M. with effect from 01-10-1986 treating the date of retirement as 30-09-1986 A.N. instead of 30-09-1983 A.N. He has directed to the pension disbursing authority to carry out necessary amendment on both the halves of PPO, which was not done by the APPO, Bank & Money order.

- ii. Subsequently, as per G.O.Ms.No.75, dated 07-03-1990, the pension of Majeed Khan has to be revised. The APPO, Bank & Money Order, has revised the pension of the individual assuming that the individual has retired from service from 01-10-1983 taking into account the relief at 90%. Ignoring that his pension was revised by the DLFA with effect from 01-10-1986. Thus, the over payment was made to the extent of Rs.576/- per month on account of wrong fixation by the APPO, Bank & MO totaling to an amount of Rs.2,230/-. At that time, he had not worked in that section and he is not responsible for wrong fixation and over payment.
- iii. The mistake was committed by APPO, Bank and Money Order, M.J. Road, Hyderabad and authorized to the Bank i.e. State Bank of Hyderabad, Dilsukhnagar, Hyderabad vide letter No. Pension S2/B&Mo/92 dated 04.1992 for arranging payment of pension as the pensioner was drawing pension from the above Bank under P.S.B Scheme, as per G.O. Ms.No.(P) No. 299 Finance, dated 22.08.1985.
- iv. Subsequently, the payment of pension of the pensioner was made by the Bank according to G.O. (P) No.299, Finance, dated 22-08-1985. As per G.O.Ms.No. 79 Finance (PSC) Department dated 14-03-1989, the APPO Spl.Cell prepared the computerized PPO and No Cash Payment of Pension w.e.f. 01-10-1998 should be made at pension payment office.
- v. As per G.O.Ms.No.213, Finance & Planning (FW.PSC) Department dated 19-12-1997 all payments of pension should be made through Bank w.e.f 01-01-1998. But this scheme for payment of pension was implemented completely from 01-10-1998 and No Cash payment of Pension with effect from 01-10-1998 should be made at pension payment office.
- vi. This information was given by all APPOs on a piece of paper, i.e. called computer P.P.O (noting the eligibility of consolidated pension and relief etc) which was communicated to the all Asst. Pension Payment Officers in twin cities, Hyderabad and Secunderabad. As per jurisdiction area, the SBH, Amber pet, Hyderabad was allotted to APPO, Tarnaka w.e.f 01-10-1998. **The APPO, Tarnaka received all computers PPO, in a booklet shape bank-wise and branch-wise duly noting the last date of payment with rates. The APPO, Tarnaka stated payment as per Bank payment advice, which was received from JD, PPO, Hyderabad each month w.e.f. 01-11-1998. Subsequently, the original PPOs were received. As per the order of JD, PPO, the APPO Tarnaka was asked to make payments as per eligibility noted on computer PPO. At this stage there was no possibility of checking the wrong fixation done in 10/1986 in some other offices.**
- vii. As per computer PPO, the eligibility of pension and relief to Sri Abdul Majeed Khan holder of PPO No. PO1/SP/Hyderabad -00 -1266 w.e.f Oct 1998 and amount paid on the previous practice of the APPO, Special Cell, and the APPO Tarnaka Branch made the payments in a routine manner as per rates noted on the computer PPO.
- viii. During the year 1994, the AG, AP, Hyderabad residential Audit pointed out the wrong fixation of pension as per G.O.Ms.No.75 and issued half margin through No. RASN/PPO, MJ Road, Hyderabad. The APPO Spl.Cell has not taken any action against the said objection regarding wrong fixation by APPO Bank & MO.

- ix. During the year 1999, the regular Audit of A.G A.P., Hyderabad conducted audit by APPO, Tarnaka along with the pending half margin of A.G. Residential Audit communicated vide RASN/PPO, MJ Road/94-95 dated 31-08-1994 and the audit party verified the same and it was noticed that no action was taken by the APPO, Spl.Cell M.J. Road, Hyderabad. Then the AG Audit issued one more half margin to APPO, Tarnaka duly calculating the excess paid pension and relief **w.e.f 01-10-1986 to 31-12-1999** vide half margin No.AG:ACE/TIP3/HM No. 11 dated **11-01-2000**.
- x. Further, Sri Syed Akheel AAO (Retd.) informed that he has not responsible for the wrong fixation of pension and not responsible for issue incorrect computerized PPO. The APPO, Bank & MO, APPO Special Cell are responsible for this. He never worked in those offices. As soon as the communication intimating the about wrong fixation and over payment came to his notice he took prompt action to recover the amount from the pensioner while he was working at APPO, Tarnaka. The APPO, Tarnaka recovered Rs. 43,516.59ps from the Pensioner till his death took place. Hence, the Charged Officer requested to exonerate and drop the charges framed against him.
4. After careful examination of the entire case with reference to material on record it is observed that Sri K.Venugopal, A.O.(Retd), Sri Gulam Ahmed, AAO (Retd) and Sri A.K.Patil, Senior Accountant, were found to be mainly responsible for misinterpretation of G.O.Ms.No.75 dtd.07-03-1990, wherein 90% D.R Consolidation is applicable to those who have retired on or before 30-06-1986, whereas they have made applicable to Sri M.A.Majeed Khan, who have retired on 30-09-2006.
5. Government, after careful consideration of the material on record i.e. Charge Memo. and defence statement of the Charged Officer observe that he is not responsible for wrong fixation of pension of Sri M.A.Majeed Khan, holder of PPO No.PHSP001266 and therefore, hereby drop further action against him.
6. The Director of Treasuries and Accounts, Hyderabad shall take necessary further action in the matter.
7. The G.O. is available on Internet and can be accessed at the address <http://www.goir.ap.gov.in>.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

SHAMSHER SINGH RAWAT
SECRETARY TO GOVERNMENT (FP)

To
The individual through Director of Treasuries and Accounts, AP, Hyderabad.
The Director of Treasuries and Accounts, AP, Hyderabad.
The Joint Director, PPO, Hyderabad.
SF/SC

//FORWARDED::BY ORDER//

SECTION OFFICER